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WESTERN DISTRICT OF WASHINGTON
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08-CV-00510-ORD

HONORABLE MARSHA J. PECHMAN

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RICHARD O. BUSE,

Plaintiff,

vs.

FIRST AMERICAN TITLE INSURANCE
COMPANY; FORECLOSURELINK, INC.;
GREENPOINT MORTGAGE FUNDING,
INC.; MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.;
RESCOMM HOLDINGS NO. 2, LLC; UM
ACQUISITIONS, LLC; TOM BLOCK; and
Doe Defendants 1 through 20,

Defendants.

Case No. CV 08-00510-MJP

STIPULATION AND ORDER
REGARDING THE FILING OF
PLAINTIFF'S RESPONSE TO THE
MOTION FOR SUMMARY
JUDGMENT FILED BY DEFENDANTS
FORECLOSURELINK AND FIRST
AMERICAN TITLE INSURANCE
COMPANY AND THE FILING OF
THEIR REPLY

FACTS

As outlined in the Declaration of Melissa A. Huelsman Regarding Late Filing, which was filed in this case on April 21, 2009 by counsel for Plaintiff Richard Buse, his attorney was required to file his Response to the Motion for Summary Judgment filed by Defendants ForeclosureLink and First American Title Insurance Company ("First American") by April 20, 2009. See, Declaration of Melissa A. Huelsman Re: Late Filing ("Huelsman Dec."). Ms. Huelsman had completed most of the work on the pleadings by early evening and needed to leave to go home, taking the work with her to complete the filing electronically from home. Huelsman Dec., ¶2-4. Ms. Huelsman has filed pleadings in United States District Court for the

STIPULATION/ORDER RE: FILING OF MSJ RESPONSE
AND REPLY
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1 Western District of Washington from her home previously because she kept records of her
2 passwords in the Contact portion of her Outlook file. *Id.* And in fact, Ms. Huelsman filed
3 pleadings in another case in this Court just a few weeks ago. *Id.*

4 When Ms. Huelsman finished the work on the pleadings and prepared to file them with
5 the Court, she realized that the Password entry in her Contacts had been deleted and she did not
6 have her ECF password and account, which were necessary to file pleadings with the Court.
7 *Id.* Ms. Huelsman had an incident earlier in the evening where her Blackberry was taken by a
8 stranger and was finally returned to her. She is uncertain if this person could have copied the
9 entries and then deleted them thinking that they were passwords for online accounts or if
10 someone else in her office deleted the Password file from her Contacts because she has no idea
11 how or why the information was deleted. *Id.* Nevertheless, Ms. Huelsman could not file the
12 pleadings with the Court until she got to her office on the morning of April 21, 2009, when she
13 had access to her passwords and account information. *Id.* This was the reason that Ms.
14 Huelsman was late in filing the responsive pleadings with this Court.

15 Under the Local Rules, the Reply of Defendants ForeclosureLink and First American
16 would need to be filed on or before April 24, 2009.

17 STIPULATION

18 Based upon the above-assertions by Ms. Huelsman regarding the reason for her relay in
19 filing the responsive pleadings, counsel for Mr. Buse, Law Offices of Melissa A. Huelsman,
20 P.S., Melissa A. Huelsman, and counsel for Defendants ForeclosureLink and First American,
21 Peter Salmon, Pite Duncan, LLP, have agreed and hereby stipulate to the following:

22 1. The responsive pleadings filed and served on behalf of Plaintiff Richard Buse
23 may be considered timely filed for having been filed on April 21, 2009.

24 2. Defendants ForeclosureLink and First American shall file and serve their Reply
25 to Mr. Buse's Response on or before April 27, 2009.

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STIPULATION/ORDER RE: FILING OF MSJ RESPONSE
AND REPLY
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DATED this 21st day of April 2009.

Pite Duncan, LLP
Attorneys for Defendants ForeclosureLink
and First American Title Insurance
Company

Law Offices of Melissa A. Huelsman, P.S.
Attorney for Plaintiff Richard O. Buse

By /s/ Peter J. Salmon
Peter Salmon, WSBA No. 31382
Attorney for Defendants ForeclosureLink
and First American Title Insurance
Company

By /s/ Melissa A. Huelsman
Melissa A. Huelsman, WSBA No. 30935
Attorney for Plaintiff

ORDER

Based on the foregoing stipulation, it is hereby ordered:

1. The responsive pleadings filed and served on behalf of Plaintiff Richard Buse may be considered timely filed for having been filed on April 21, 2009.
2. Defendants ForeclosureLink and First American shall file and serve their Reply to Mr. Buse's Response on or before April 27, 2009.

DATED this 22 day of April 2009.


THE HONORABLE/MARSHA PECHMAN

Presented by:
Law Office of Melissa A. Huelsman, P.S.
Attorney for Plaintiff

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STIPULATION/ORDER RE: FILING OF MSJ RESPONSE
AND REPLY
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